

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARMEN ISAURA KAMINSKY,)

Plaintiff,)

v.)

CAROLYN W. COLVIN,
Acting Commissioner of the Social
Security Administration,)

Defendant.)

CASE NO. CV13-02282-BJR-BAT

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
REMANDING FOR FURTHER
PROCEEDINGS

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING
PLAINTIFF'S COMPLAINT**

The Court, having reviewed Plaintiff's [3] Complaint and [17] Opening Brief, [20] the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find that:

- (1) The Magistrate Judge correctly concluded that the Administrative Law Judge improperly rejected the medical opinion of Dr. Luci Carstens. Defendant did not object to the Magistrate Judge's Report and Recommendation;

- 1 (2) The Court adopts the Report and Recommendation;
- 2 (3) Accordingly, the Commissioner's denial of Plaintiff's application for disability
- 3 benefits is REVERSED and this case is REMANDED for further consideration
- 4 consistent with the Magistrate Judge's Report and Recommendation..
- 5 (4) The Clerk of the Court is respectfully directed to send copies of this Order to
- 6 Plaintiff, Defendant, and to Judge Tsuchida.
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8 **IT IS SO ORDERED.**

9 DATED this 1st day of October, 2014.

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14 BARBARA J. ROTHSTEIN
15 UNITED STATES DISTRICT JUDGE
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